



IFW

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert McLellan

Application: FREEZE AND HEAT FOOD PREPORTIONING BAG

Serial No.: 10/796,725

Filing Date: March 9, 2004

Examiner: Cassandra Hope Davis

Art Unit: 3611

Conf. No.: 1771

Case No.: 0299/01892

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, pursuant to 37 C.F.R. §1.8 addressed to Mail Stop Amendment, After Final; Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313 on June 6, 2007.

Marilynn G. Oleck  
Name of Representative

Marilynn G. Oleck  
Signature of Representative

June 6, 2007  
Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

20 North Wacker Drive  
Chicago, IL 60606  
312-621-1330

**RESPONSE TO NOTICE REGARDING POWER OF ATTORNEY AND  
7 CFR 3.73(b) STATEMENT**

Dear Sir:

In response to the April 9, 2007 Notice Regarding the Power of Attorney, the Applicant through its present counsel responds as follows:

On September 2, 2004 the USPTO sent the Applicant the Notice of Recordation of Assignment Document indicating that Assignments in the present case have been recorded on March 9, 2004 at reel/frame location of 015068/0458. Those Assignments (copies enclosed) transferred rights in the invention from *all* inventors, to Assignee

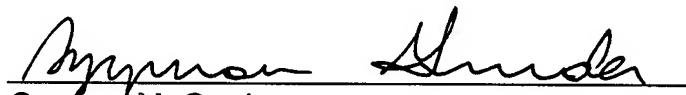
Handgards, Inc. The above reel/frame location is provided to establish ownership pursuant to MPEP § 324 and 37 CFR 3.73(b).

On March 2, 2007, Robert McLellan, as CEO of Handgards, Inc., filed a Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address for the above-listed matter.

On April 9, 2007, the USPTO rejected the Power of Attorney claiming all co-inventors must sign it. Assignee disagrees with the Office's rejection.

As the assignee of the entire interest of the present application, and pursuant to MPEP §402.07, Handgards Inc. requests that its Power of Attorney statement filed on March 2, 2007 be honored.

Respectfully submitted,  
**CHERSKOV & FLAYNIK**

  
\_\_\_\_\_  
Szymon M. Gurda  
Reg. No. 58,451

**Docket P6823**

## ASSIGNMENT

In consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby assign(s) to Handgards, Inc., its successors, legal representatives and assigns (hereafter "the assignee") the entire right, title and interest in the invention of improvements entitled FREEZE AND HEAT FOOD PROPORTIONING BAG and in the application for a Patent of the United States therefor, and in any reissue, extension, division or continuation of any Patent that may be granted upon said application or applications. The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue said Patent to said assignee.

For said consideration the undersigned hereby agree(s), upon the request of said assignee, to execute any and all divisional, continuation and renewal applications for said invention or improvements; and any necessary oath or supplemental oath or affidavit relating thereto, and any application for the reissue or extension of any Patent that may be granted said application that said assignee may deem necessary or expedient, and for said considerations the undersigned further agree(s) upon the request of said assignee, in the event of said application or any division thereto, or Patent issued thereon, or any reissue or application for the reissue thereof, becoming involved in interference, to cooperate with said assignee, in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and the undersigned hereby agree(s) to perform, upon said request, any and all affirmative acts to obtain said Patent and vest all rights therin hereby conveyed to the said assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made.

And for the said considerations the undersigned hereby assign(s) to said assignee the entire right, title and interest in said invention or improvement for any and all foreign countries and agree(s) upon the request of said assignee to execute any and all documents in connection with any and all applications for foreign Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to vest title said foreign applications and patents in said assignee.

Date

Date

Date

Robert M. Bellamy

~~Ricki Combs~~

Albert Diaz



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 02, 2004

PTAS



R. BLAKE JOHNSTON, ESQ.  
PIPER RUDNICK LLP  
P.O. BOX 64807  
CHICAGO, IL 60664-0807

\*102695041A\*

### UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/09/2004

REEL/FRAME: 015068/0458

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
MCLELLAN, ROBERT

DOC DATE: 03/08/2004

ASSIGNOR:  
DIAZ, ALFRED

DOC DATE: 03/08/2004

ASSIGNOR:  
COMBS, RICKI

DOC DATE: 03/08/2004

ASSIGNEE:  
HANDGARDS, INC.  
901 HAWKINS BLVD.  
EL PASO, TEXAS 79915-1202

SERIAL NUMBER: 10796725

FILING DATE: 03/09/2004

PATENT NUMBER:

ISSUE DATE:

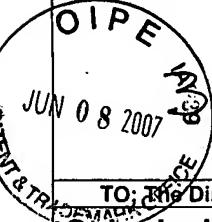
TITLE: FREEZE AND HEAT FOOD PROPORTIONING BAG

RECEIVED  
230897-2  
SEP 10 2004  
4863  
PIPER RUDNICK

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

03-16-2004

U.S. Department of Commerce  
Patent and Trademark Office  
PATENT



102695041

RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. PTO  
22857 10/796725  
10/796725  
030904

TO: The Director of the United States Patent and Trademark Office: Please record the attached original document(s) or copy(ies).

Submission Type

New  
 Resubmission (Non-Recordation)  
Document ID#   
 Correction of PTO Error  
Reel #  Frame #   
 Corrective Document  
Reel #  Frame #

Conveyance Type

Assignment  Security Agreement  
 License  Change of Name  
 Merger  Other   
**U.S. Government**  
(For Use ONLY by U.S. Government Agencies)  
 Departmental File  Secret File

Conveying Party(ies)

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
03/08/2004

Name (line 1)  MCLELLAN, Robert

Name (line 2)

Second Party

Name (line 1)  COMBS, Ricki

Name (line 2)

Execution Date  
Month Day Year  
03/08/2004

10796725

Receiving Party

Mark if additional names of receiving parties attached

If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached.  
(Designation must be a  
separate document from  
Assignment.)

Name (line 1)  Handgards, Inc.

Name (line 2)

Address (line 1)  901 Hawkins Blvd.

Address (line 2)

Address (line 3)  El Paso

City

TX

State/Country

79915-1202

Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

FOR OFFICE USE ONLY

03/15/2004 ECOOPER 00000053 10796725

01 FC:8021

40.00 CP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS

Mail documents to be recorded with required cover sheet(s) information to:  
Mail Stop Assignment Recordation Services, Director of the United States Patent and Trademark Office,  
P.O. Box 1450, Alexandria, VA 22313-1450

Correspondent Name and Address

Area Code and Telephone Number

(312) 368-4000

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages  Enter the total number of pages of the attached conveyance document including any attachments. #

Application Number(s) or Patent Number(s)

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

<input type="text"/>					
<input type="text"/>					
<input type="text"/>					

If this document is being filed together with a new Patent Application, enter the date the patent application was

Month  Day  Year  03/09/2004

Patent Cooperation Treaty (PCT)

Enter PCT application number

PCT

PCT

PCT

only if a U.S. Application Number  
has not been assigned.

PCT

PCT

PCT

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment:

Enclosed  Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the

Deposit Account Number: #

Authorization to charge additional fees: Yes  No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

R. Blake Johnston / Reg. No. 41,097

Name of Person Signing

Signature

3/9/04

Date



RECORDATION FORM COVERSHEET  
CONTINUATION  
PATENTS ONLY

U.S. Department of Commerce  
Patent and Trademark Office  
PATENT

**Conveying Party(ies)**

Mark if additional names of conveying parties attached

**Enter additional Conveying Parties**

Name (line 1) DIAZ, Alfred

Execution Date  
Month Day Year  
03/08/2004

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

**Receiving Party**

Mark if additional names of receiving parties attached

Name (line 1)

If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached.  
(Designation must be a  
separate document from  
Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached.  
(Designation must be a  
separate document from  
Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

**Application Number(s) or Patent Number(s)**

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

**Patent Number(s)**


22857 U.S. PTO  
10/796725



030904

Docket P6823

## ASSIGNMENT

In consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby assign(s) to Handgards, Inc., its successors, legal representatives and assigns (hereafter "the assignee") the entire right, title and interest in the invention of improvements entitled FREEZE AND HEAT FOOD PROPORTIONING BAG and in the application for a Patent of the United States therefor, and in any reissue, extension, division or continuation of any Patent that may be granted upon said application or applications. The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue said Patent to said assignee.

For said consideration the undersigned hereby agree(s), upon the request of said assignee, to execute any and all divisional, continuation and renewal applications for said invention or improvements; and any necessary oath or supplemental oath or affidavit relating thereto, and any application for the reissue or extension of any Patent that may be granted said application that said assignee may deem necessary or expedient, and for said considerations the undersigned further agree(s) upon the request of said assignee, in the event of said application or any division thereto, or Patent issued thereon, or any reissue or application for the reissue thereof, becoming involved in interference, to cooperate with said assignee, in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and the undersigned hereby agree(s) to perform, upon said request, any and all affirmative acts to obtain said Patent and vest all rights therin hereby conveyed to the said assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made.

And for the said considerations the undersigned hereby assign(s) to said assignee the entire right, title and interest in said invention or improvement for any and all foreign countries and agree(s) upon the request of said assignee to execute any and all documents in connection with any and all applications for foreign Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to vest title said foreign applications and patents in said assignee.

3/8/04  
Date

3/8/04  
Date

3/8/04  
Date

Robert McLellan  
Robert McLellan

Ricki Combs  
Ricki Combs

Albert Diaz  
Albert Diaz